



Order Filed on March 13, 2019  
by Clerk  
U.S. Bankruptcy Court  
District of New Jersey

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEW JERSEY

**Caption in Compliance with D.N.J. LBR 9004-1**

DENISE CARLON, ESQUIRE

KML LAW GROUP, P.C.

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Attorneys for Secured Creditor

PNC Bank, National Association

In Re:

Sheryl A. Rubin,

Debtor.

Case No.: 18-31439 KCF

Adv. No.:

Hearing Date: 2/27/19 @ 10:00 a.m.

Judge: Katherine C. Ferguson.

**ORDER RESOLVING SECURED CREDITOR'S OBJECTION TO DEBTOR'S  
CHAPTER 13 PLAN**

The relief set forth on the following pages, numbered two (2) through two (2) is hereby  
**ORDERED**

**DATED: March 13, 2019**

  
Honorable Kathryn C. Ferguson  
United States Bankruptcy Judge

Page 2

Debtor: Sheryl A. Rubin

Case No.: 18-31439 KCF

Caption: **ORDER RESOLVING SECURED CREDITOR'S OBJECTION TO  
DEBTOR'S CHAPTER 13 PLAN**

This matter having been brought before the Court by KML Law Group, P.C., attorneys for Secured Creditor, PNC Bank, National Association, holder of a mortgage on real property located at 6022 Cedar Court, Monmouth Junction, NJ, 08852, Denise Carlon appearing, by way of objection to the confirmation of Debtor's Chapter 13 Plan, and this Court having considered the representations of attorneys for Secured Creditor and Thomas M. Monahan, Esquire, attorney for Debtor, Sheryl A. Rubin, and for good cause having been shown;

It **ORDERED, ADJUDGED and DECREED** that Debtor shall obtain a loan modification by March 12, 2019, or as may be extended by an application to extend the loss mitigation period; and

It is **FURTHER ORDERED, ADJUDGED and DECREED** that Debtor is to make regular post-petition payments in accordance with the terms of the loss mitigation order while the loss mitigation period is active; and

It is **FURTHER ORDERED, ADJUDGED and DECREED** that the Trustee is not to pay the arrears on Secured Creditor's claim while the loan modification is pending; and

It is **FURTHER ORDERED, ADJUDGED and DECREED** that the Secured Creditor does not waive its rights to the pre-petition arrears or the difference between the regular post-petition payment and the loss mitigation payment, or any other post-petition arrears that may accrue; and

It is **FURTHER ORDERED, ADJUDGED and DECREED** that if the loan modification is unsuccessful, Debtor shall modify the plan to address Secured Creditor's pre-petition arrears, either by curing the arrears, selling the property, surrendering the subject property, or in a manner otherwise permitted by the code; and

It is **FURTHER ORDERED, ADJUDGED and DECREED** that Section 4D of the plan is hereby stricken; and

It is **FURTHER ORDERED, ADJUDGED and DECREED** that Secured Creditor's objection to confirmation is hereby resolved.

**Certificate of Notice Page 3 of 3**  
United States Bankruptcy Court  
District of New Jersey

In re:  
Sheryl A. Rubin  
Debtor

Case No. 18-31439-KCF  
Chapter 13

**CERTIFICATE OF NOTICE**

District/off: 0312-3

User: admin  
Form ID: pdf903

Page 1 of 1  
Total Noticed: 1

Date Rcvd: Mar 15, 2019

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Mar 17, 2019.

db Sheryl A. Rubin, 6022 Cedar Ct, Monmouth Junction, NJ 08852-2135

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.  
NONE. TOTAL: 0

\*\*\*\*\* BYPASSED RECIPIENTS \*\*\*\*\*

NONE. TOTAL: 0

Transmission times for electronic delivery are Eastern Time zone.

**I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.**

**Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.**

Date: Mar 17, 2019

Signature: /s/Joseph Speetjens

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**CM/ECF NOTICE OF ELECTRONIC FILING**

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on March 15, 2019 at the address(es) listed below:

Albert Russo docs@russotrustee.com  
Denise E. Carlon on behalf of Creditor PNC BANK, NATIONAL ASSOCIATION dcarlon@kmlawgroup.com,  
bkgroup@kmlawgroup.com  
Glenford Washington Warmington on behalf of Creditor Whispering Woods Condominium Association,  
Inc. attorneys@lawgapc.com, attorneys@lawgapc.com  
Kevin Gordon McDonald on behalf of Creditor PNC BANK, NATIONAL ASSOCIATION  
kmcDonald@kmlawgroup.com, bkgroup@kmlawgroup.com  
Thomas M. Monahan on behalf of Debtor Sheryl A. Rubin simonmonahan216@gmail.com,  
tommon1@aol.com  
U.S. Trustee USTPRegion03.NE.ECF@usdoj.gov

TOTAL: 6